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Attorneys for Defendant Ira Grossman

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

JOHN ESPINOZA, an individual,

Plaintiff,

v.

CITY OF IMPERIAL, a public entity; MIGUEL
COLON, an individual; IRA GROSSMAN, an
individual; and DOES 1-50, inclusive,

Defendants.

CASE NO. 07 CV 2218 LAB (RBB)

**DECLARATION OF SUSAN L. OLIVER
IN SUPPORT DEFENDANT
GROSSMAN'S NOTICE OF MOTION
AND MOTION TO STRIKE
PLAINTIFF'S COMPLAINT PURSUANT
TO CALIFORNIA ANTI-SLAPP
STATUTE**

Date: June 2, 2008
Time: 11:15 a.m.
Judge: Hon. Larry A. Burns
Ctrm: 9

[ORAL ARGUMENT REQUESTED]

I, Susan L. Oliver, declare:

1. I am an attorney at law duly licensed to practice before all courts in the State of California, and am licensed to practice before the United States District Court, Southern District of California. I am a partner with the law firm of White & Oliver & Amundson, A.P.C., attorneys of record for Defendant Ira Grossman. I have personal knowledge of the contents of this declaration and if called upon I could and would competently testify thereto.

2. The factual information necessary for this Court to make a ruling on Defendant Ira Grossman's Motion to Strike Plaintiff's Complaint pursuant to California's Anti-SLAPP Statute is contained within Plaintiff's Complaint on file herein. The admissions of Plaintiff's Complaint

1 demonstrate the applicability of the Anti-SLAPP Statute (California Code of Civil Procedure Section
2 425.16), and the application of law to the facts set forth demonstrate that Plaintiff cannot show that there
3 is a probability that he will prevail on his claims against Ira Grossman.

4 3. Ira Grossman has requested that the Court take judicial notice of Plaintiff's Complaint
5 on file herein, as set forth in his Request for Judicial Notice filed concurrently herewith.

6 I declare under penalty of perjury under the laws of the United States of America that the
7 foregoing is true and correct and that this Declaration was executed this 7th day of April, 2008, at San
8 Diego, California.

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10 s/:Susan L. Oliver
11 Susan L. Oliver
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